

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 25 July 2001 (25.07.01)	
International application No. PCT/US00/40519	Applicant's or agent's file reference MWH-0006PCT
International filing date (day/month/year) 01 August 2000 (01.08.00)	Priority date (day/month/year) 06 August 1999 (06.08.99)
Applicant DENTON, R., Rex et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 05 March 2001 (05.03.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Charlotte ENGER Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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REC'D 08 JAN 2002

WPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MVH-0006PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/40519	International filing date (day/month/year) 01 AUGUST 2000	Priority date (day/month/year) 06 AUGUST 1999
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant GENAISSANCE PHARMACEUTICALS, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

I ☒ Basis of the report

II ☐ Priority

III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability

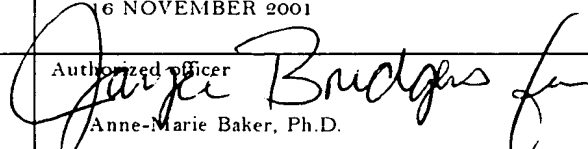
IV ☐ Lack of unity of invention

V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI ☐ Certain documents cited

VII ☐ Certain defects in the international application

VIII ☐ Certain observations on the international application

Date of submission of the demand 05 MARCH 2001	Date of completion of this report 6 NOVEMBER 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20331	Authorized officer  Anne-Marie Baker, Ph.D.
Facsimile No. (703) 305-3230	Telephone No. (703) 305-0196

I. Basis of the report**1. With regard to the elements of the international application:***☐ the international application as originally filed☒ the description:pages 1-36 , as originally filedpages NONE , filed with the demandpages NONE , filed with the letter of _____☒ the claims:pages NONE , as originally filedpages NONE , as amended (together with any statement) under Article 19pages 37-39 , filed with the demandpages NONE , filed with the letter of _____☒ the drawings:pages 1-6 , as originally filedpages NONE , filed with the demandpages NONE , filed with the letter of _____☒ the sequence listing part of the description:pages 1-15 , as originally filedpages NONE , filed with the demandpages NONE , filed with the letter of _____**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**☒ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.**4. ☒ The amendments have resulted in the cancellation of:**☒ the description, pages NONE☒ the claims, Nos. 2 and 23☒ the drawings, sheets/fig NONE**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).****

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement**1. statement**

Novelty (N)	Claims	<u>1, 3-22, and 24-27</u>	YES
	Claims	<u>NONE</u>	NO
Inventive Step (IS)	Claims	<u>1, 3-22, and 24-27</u>	YES
	Claims	<u>NONE</u>	NO
Industrial Applicability (IA)	Claims	<u>1, 3-22, and 24-27</u>	YES
	Claims	<u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1, 3-22, and 24-27 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest the claimed methods and compositions. The prior art does not teach or fairly suggest the claimed polymorphic variants of the 5-hydroxytryptamine receptor 1A gene.

----- NEW CITATIONS -----

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): C07H 21/04; C07K 14/00, 16/00; C12N 15/00 and US Cl.: 435/455; 530/350, 387.1; 536/23.5, 24.31, 24.33; 800/13

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/40519

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C07H 21/04; C07K 14/00, 16/00; C12N 15/00

US CL : 435/455; 530/350, 387.1; 536/23.5, 24.31, 24.33; 800/13

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/455; 530/350, 387.1; 536/23.5, 24.31, 24.33; 800/13

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Extra Sheet.**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	KOBILKA et al. An intronless gene encoding a potential member of the family of receptors coupled to guanine nucleotide regulatory proteins. Nature. 03 September 1987. Vol. 329, pages 75-79, entire document.	1-26
A	LAM et al. A serotonin receptor gene (5HT1A) variant found in a Tourette's syndrome patient. Biochem. Biophys. Res. Comm. 1996. Vol. 219, No. 3, pages 853-858, entire document.	1-26
A	MELMER et al. A cosmid clone for the 5HT1A receptor (HTR1A) reveals a TaqI RFLP that shows tight linkage to DNA loci D5S6, D5S39, and D5S76. Genomics. 1991. Vol. 11, pages 767-769, entire document.	1-26



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

&

document member of the same patent family

Date of the actual completion of the international search

06 NOVEMBER 2000

Date of mailing of the international search report

30 NOV 2000

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

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Authorized officer

ANNE-MARIE BAKER, PH.D.

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/40519

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	NAKHAI et al. Two naturally occurring amino acid substitutions in the human 5-HT _{1A} receptor: Glycine 22 to serine 22 and isoleucine 28 to valine 28. Biochem. Biophys. Res. Comm. 16 May 1995. Vol. 210, No. 2, pages 530-536, entire document.	1-26
A	PARKS et al. The serotonin 1a receptor gene contains a TATA-less promoter that responds to MAZ and Sp1. J. Biol. Chem. 23 February 1996. Vol. 271, No. 8, pages 4417-4430, entire document.	1-26

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/40519

B. FIELDS SEARCHED

Electronic data bases consulted (Name of data base and where practicable terms used):

WEST

Dialog (file: medicine)

search terms: denton, kliem, nandabalan, stephens, htr1a, hydroxytryptamine, serotonin, polymorph?, genotyp?,
haplotyp?, receptor